

REMARKS

Initially, Applicants would like to thank the Examiner for acknowledging acceptance of the drawings filed with the present application on March 31, 2005. Applicants would also like to thank the Examiner for acknowledging consideration of each of the references cited on PTO-1449 forms submitted by Applicants in Information Disclosure Statements filed on November 5, 2004 and July 30, 2004.

However, Applicants note that the Examiner has not returned a signed and initialed copy of the PTO-1449 form submitted by Applicants in connection with another Information Disclosure Statement filed on June 17, 2005. Additionally, Applicants note that an Information Disclosure Statement was filed on August 24, 2005, i.e., after the date of the outstanding Official Action. Accordingly, with the next Official Action, Applicants respectfully request that the Examiner acknowledge consideration of each of the references cited on the PTO-1449 forms submitted by Applicants in the Information Disclosure Statements filed on June 17, 2005 and August 24, 2005.

In the above-noted Official Action, claims 1-15 were indicated as allowable. Claims 16-21 and 23-25 were rejected under the judicially created doctrine of obviousness-type double patenting over the claims of BI et al. (U.S. Patent No. 6,757,278) in view of ELLIOT et al. (U.S. Patent Application Publication No. 2004/0022237). Claim 22 was rejected under

the judicially created doctrine of obviousness-type double patenting over the claims of BI in view of ELLIOT, and further in view of DOBBINS et al. (U.S. Patent No. 5,684,800).

Claims 16-25 were indicated as allowable if the above-noted double patenting rejections were overcome. Claims 26-27 were objected to as being dependent upon a rejected base claim, but were otherwise indicated as allowable if rewritten into independent form to include all of the limitations of base and any intervening claims (or presumably if the double patenting rejections of base and any intervening claims were overcome).

Initially, Applicants would like to thank the Examiner for indicating the allowability of claims 1-15 without amendment or the requirement of a Terminal Disclaimer. Applicants would also like to thank the Examiner for indicating the allowability of claims 16-25, if the above-noted double patenting rejections were overcome. Applicants would further like to thank the Examiner for indicating the allowability of claims 26-27, if rewritten into independent form to include all of the limitations of base and any intervening claims (or presumably if the double patenting rejections of base and any intervening claims were overcome).

Upon entry of the present amendment, Applicants will have amended dependent claim 8, which was originally inadvertently submitted in an incomplete form. Applicants will also have cancelled claims 16-27 without prejudice to or disclaimer of the subject matter recited therein. By

the cancellation of claims 16-27, Applicants make no admissions as to the propriety of the rejections of claims 16-25 under the judicially created doctrine of obviousness-type double patenting, or as to the objection to claims 26-27 for depending from rejected independent claims. Applicants particularly note that claims similar to claims 16-27 may be submitted in a future continuation application. However, Applicants have cancelled claims 16-27 to free claims 1-15 from any potential implications that may result from being issued in a patent that is subject to a Terminal Disclaimer.

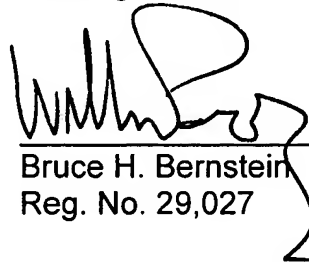
In view of the cancellation of claims 16-27, Applicants respectfully submit that the rejections of claims 16-25 and the objection-to claims 26-27 has been rendered moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, as well as an indication of the allowability of each of the claims now pending.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Accordingly, at least for the reasons set forth herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections and objection, as well as an indication of the allowability of each of the claims now pending.

Should the Examiner have any questions or comments regarding this Reply, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Haifeng BI et al.



Bruce H. Bernstein  
Reg. No. 29,027

William Pieprz  
Reg. No. 33,630

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GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191